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VIA CM/ECF & HAND DELIVERY

The Honorable Leonard P. Stark
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801-3555

RE: bioMérieux, Inc., et al. v. Hologic, Inc. et al., C.A. No. 18-21-LPS

Dear Chief Judge Stark:

I write on behalf of the parties in the above-referenced action pursuant to Your Honor's February 13, 2020 Oral Order (D.I. 413). While the parties are mindful of the Court's time and resources, and are committed to presenting their case as efficiently as possible, given the number of issues that still remain for trial, the parties do not believe at this time that the allocated trial time can be substantially reduced given the stipulation and order dismissing U.S. Patent No. 9,074,262 from the case (D.I. 411). However, the parties agree that trial time may be reduced from fifteen (15) hours per side to fourteen (14) hours per side. The parties will continue to confer in an effort to narrow the issues for trial, and will advise the Court if anything changes.

Pursuant to Your Honor's Order, the parties have also conferred and agreed upon amendments to the preliminary jury instructions, and those instructions have been filed contemporaneously with this letter.

Further, the parties unanimously consent to a Magistrate Judge presiding over jury selection.

Counsel are available should Your Honor have any questions or need anything further.

Respectfully submitted,

/s/ Daniel M. Silver

Daniel M. Silver (#4758)

cc: All Counsel of Record (via CM/ECF and electronic mail)